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SCHIFF, HARDIN LLP

PATENT DEPARTMENT

6600 SEARS TOWER

233 SOUTH WACKER DRIVE

CHICAGO, ILLINOIS 60606

GROUP ART UNIT: 2615

RE APPLICATION OF:

Rainer Graumann

SERIAL NO.:

09/778,497

EXAMINER: Justin I. Michalski

FILED:

February 7, 2001

CONFIRMATION NO.: 8814

TITLE: "GARMENT-WORN MICROPHONE, AND COMMUNICATION SYSTEM AND METHOD EMPLOYING SUCH A MICROPHONE FOR VOICE CONTROL OF DEVICES"

RESPONSE TO MAY 17, 2006 OFFICE ACTION

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*20	MINUS	**20	X	() X 9.00 () X 18.00	
INDEP. CLAIMS	*3	MINUS	3	X	() X 43.00 () X 86.00	
Application amended to contain any multiple dependent claims not previously paid for.				() YES () NO	() \$145.00 () \$290.00 ONE TIME	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20 write "20" in this space.

- Applicants petition the Commissioner of Patents and Trademarks to extend this time for response to the Office Action dated ____ for ____ months so that the period for response is extended to _____. A check in the amount of \$____ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 501519. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$____ is attached.
- A check for \$____ accompanying IDS under 37 CFR 1.97(c) is attached
- A check for \$____ and Petition for Consideration of IDS under 37 CFR 1.97(d) is attached.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519. A duplicate of this sheet is enclosed.
- When phoning re this application, please call (312) 258-5500.

SCHIFF, HARDIN LLP (Customer Number 26574)

BY Steven H. Noll (28,982)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on August 11, 2006

Steven H. Noll

NAME OF APPLICANT'S ATTORNEY

Steven H. Noll

SIGNATURE

August 11, 2006

DATE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE TO MAY 17, 2006 OFFICE ACTION

APPLICANT: Rainer Graumann GROUP ART UNIT: 2615
SERIAL NO.: 09/778,497 EXAMINER: Justin I. Michalski
FILED: February 7, 2001 CONFIRMATION NO.: 8814
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SIR:

Applicant and his counsel have carefully reviewed the Office Action dated May 17, 2006, but believe the claims in their present form are patentable over the teachings of the references relied upon by the Examiner. Reconsideration of the application in view of the following arguments in support of patentability is therefore respectfully requested.

REMARKS

In the Office Action dated May 17, 2006, claims 1, 4-6 and 8-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Wang et al. This rejection is respectfully traversed for the following reasons. Each of independent claims 1 and 8 claims, among other things, a fabric garment having a pocket therein, with a microphone removably contained in the pocket of the garment. Moreover, Each of claims 1 and 8 states that the garment is either a fabric surgical mask or a fabric neckband.